

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL BAILEY

v.

F. TENNIS, *et al*

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CIVIL ACTION

NO. 08-4860

ORDER

AND NOW, this 24th day of March, 2009, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus (Document No. 5), the Report and Recommendation filed by United States Magistrate Judge Carol Sandra Moore Wells and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Wells is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED**; and,
3. There is no probable cause to issue a certificate of appealability.

/Timothy J. Savage
TIMOTHY J. SAVAGE, J.